



END OF SESSION — SF 501 — SHERIFF FEES

Description: [Senate File 501](#) makes the following changes to some fees currently collected by county sheriffs for service of civil processes:

- Increase from \$15 to \$30 to serve a notice and return it, and increase from \$10 to \$20 to serve a notice for an additional service or for multiple attempts to serve.
- Increase from \$20 to \$35 to serve a warrant.
- Increase from \$20 to \$35 to serve and return a subpoena.
- Increase from \$100 to \$200 per day to summon a jury to assess damages to landowners for works of internal improvement.
- Increase from \$15 to \$30 to serve an execution, attachment, order for delivery of personal property, injunction, or any order of court and return it.
- Establish a fee of \$50 to make and execute a certificate or deed for lands sold on execution.
- Establish a fee of \$30 to make and execute a bill of sale for personal property sold.
- Increase from \$10 to \$20 per hour to make an inventory of personal property attached or levied upon.
- Increase from \$50 to \$75 to set a sale of property.
- Increase from \$15 to \$25 per hour to convey a person(s) to a State, county, or private institution by order.
- Increase from \$5 to \$10 to serve a warrant for the seizure of intoxicating liquors, destruction under the order of the court, and for posting and leaving notices in these cases.
- Increase from \$5 to \$10 to post a notice or advertisement.
- Establish a fee of \$25 per hour to attend the service of a writ.

2016 Iowa Acts, [Senate File 503](#), directed the Iowa State Sheriffs' and Deputies' Association to submit a report detailing one year's data from a random sampling of at least 10 rural counties and at least six urban counties, the total annual county budget allocated to the county sheriff to service civil processes, and the revenue from the fees charged for those services. The rural counties surveyed were Cerro Gordo, Dickinson, Hamilton, Hardin, Iowa, Jackson, Jasper, Jones, Osceola, Washington, and Winneshiek. The urban counties surveyed were Johnson, Linn, Polk, Pottawattamie, Scott, and Story. That report was completed and submitted.

The results of the survey showed that the average cost per service of warrants, subpoenas, sheriff's sales, notices served, mental commitments, executions, and condemnations exceeded the allowable fee for every county. The 17 sheriff's offices surveyed serve 41.0% of Iowa's population, and after the collection of currently established fees, they experienced a loss of \$4.5 million for completing the civil processes. This would extrapolate out to \$11.1 million for the entire State of Iowa.

Fiscal Impact: There is no impact to the General Fund. Fees paid to a county sheriff for these services are currently deposited in local accounts for that office. Funding for county sheriff's offices is through the county government.

Enactment Date: The Act was approved by the General Assembly on April 21, 2017, and is currently awaiting approval in the Governor's office. If enacted, the legislation takes effect on July 1, 2017.

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